

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Confirmation No: 3731
Magnus N. NILSSON et al.	Group Art Unit: 1791
Application No.: 09/964,838	Examiner: Monica Anne HUSON
Filed: September 28, 2001	
Title: PROCESS FOR THE MANUFACTURE OF SURFACE ELEMENTS	

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATUS INQUIRY

Applicants are in receipt of the order returning undocketed Appeal to Examiner dated February 13, 2008. Specifically the order requested an indication in the record whether or not the Examiner has considered the Reply Brief. In addition, the Board noted that the statement of the section 103(a) rejections located on pages 3-13 of the September 20, 2007 Examiner's Answer under the heading "Grounds of Rejection" appears to include claims which were canceled pursuant to an amendment filed November 14, 2006.

Applicants are also in receipt of a communication mailed from the Office on March 6, 2008 noting that the Reply Brief, filed 20 November 2007 has been noted and placed in the file. In addition, it was noted that the document attached to the communication by the Examiner offered to correct the grounds of rejection relative to the amendments filed 14 November 2007 (sic-2006).

Upon receipt and review of the communication mailed March 6, 2008, the undersigned contacted Examiner Huson noting that the attachment to the communication under the "Grounds of the Rejection" still appears to refer to claims which are now canceled and thus are

not part of the appeal before the Board. Specifically Applicant noted that claims 1 and 42 had been canceled but are still referred to in the attachment of Examiner Huson to the Board.

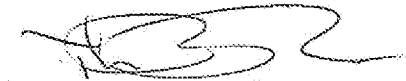
At that time Examiner Huson indicated that she would review the matter and correct it as required by the Boards' Order returning the undocketed Appeal to the Examiner dated February 13, 2008.

As of the filing of this status letter, no additional communication has been received from the Office. Therefore, Applicants respectfully request that the status of the Appeal be clarified as the Notice of Appeal in this matter has been filed several years ago and it appears that the case is as yet undocketed to the Board of Patent Appeals and Interferences.

Respectfully submitted,
NOVAK DRUCE & QUIGG LLP

Date: May 19, 2008

By: _____


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